

STATEMENT OF P.O. DAPHNE SEBASTIAN

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0507 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125
Attachment ~~FE~~ 158

1 KILLEN: This is the audio recorded interview of Officer
2 Daphne regarding Log number 1072125 U number 14
3 dash 36. Today (NOISE) is the 21st of October
4 2014. And the time is approximately 0507 hours.
5 This statement is bein' taken at Area Central
6 Police Headquarters. Uh my name is Investigator
7 Killen, that's spelled K I L L E N. My star
8 number is 1 2 9. (noise) Present is uh Attorney
9 Dan Herbert. Dan if you would.

10 HERBERT: D A N, Herbert, H E R B E R T.

11

12 KILLEN: And also FOP Rep Kriston Kato.

13 KATO: K R I S T O N. Last name is K A T O. FOP field
14 representative.

15

16 KILLEN: And then Officer Sebastian if you would say and
17 spell your first and last names for me.

18 P.O.SEBASTIAN: My first name is Daphne, D A P H N E. My
19 last name is Sebastian, S E B A S T I A N.

20

21 KILLEN: And what's your star number?

22 P.O.SEBASTIAN: 2 7 6 3.

23

24 KILLEN: And your employee number?

25 P.O.SEBASTIAN: [REDACTED]

26

27 KILLEN: And your date of appointment with the Department?

28 P.O.SEBASTIAN: 30 September '02.

29

30 KILLEN: And your date of birth?

31 P.O.SEBASTIAN: [REDACTED]

32

1 KILLEN: And your current unit of assignment?
2 P.O.SEBASTIAN: 8th District.
3
4 KILLEN: How long you been assigned to 8?
5 P.O.SEBASTIAN: The entire time, 12 years. Well after the
6 Academy, so 11.
7
8 KILLEN: All right and are you prepared to give a
9 statement now?
10 P.O.SEBASTIAN: Yes.
11
12 KILLEN: Okay.
13 P.O.SEBASTIAN: Uh this statement is not being given
14 voluntary but under duress. I am only giving
15 this statement because I know I will be fired if
16 I refuse.
17
18 KILLEN: And you're aware that this statement has the
19 standing of an official Department report. And
20 that any intentional falsification of any
21 question, any answer to any question would be in
22 direct violation of Department rules and
23 regulations?
24 P.O.SEBASTIAN: Yes.
25
26 KILLEN: Given that, I'd like to remind you that failure
27 to provide a complete and accurate account of
28 this incident could result in a finding of Rule
29 14 with uh discipline leading up to and including
30 separation from the Chicago Police Department.
31 Do you understand that?
32 P.O.SEBASTIAN: Yes.

1
2 KILLEN: All right so what was your duty status and
3 assignment on 20 October 2000, 2014 at
4 approximately 2150 hours?
5 P.O.SEBASTIAN: On duty. Full uniform um working Beat 813
6 Robert with a partner.
7
8 KILLEN: Okay who's your partner?
9 P.O.SEBASTIAN: Janet Mondragon.
10
11 KILLEN: Okay and where was uh what's your regular start
12 time?
13 P.O.SEBASTIAN: 2100.
14
15 KILLEN: Okay. And then uh I know you said you were in
16 full uniform. So was Officer Mondragon?
17 P.O.SEBASTIAN: Yes sir.
18
19 KILLEN: And you and Officer Mondragon were assigned a
20 vehicle?
21 P.O.SEBASTIAN: Yes.
22
23 KILLEN: What kinda vehicle?
24 P.O.SEBASTIAN: Uh marked vehicle number 8 7 7 9.
25
26 KILLEN: That a car, Tahoe?
27 P.O.SEBASTIAN: That's a, uh Explorer.
28
29 KILLEN: Okay. All right and then on 20 October 2014
30 approximately 2150 hours you and Officer
31 Mondragon were witness to a police-involved
32 shooting correct?

1 P.O.SEBASTIAN: Correct.
2
3 KILLEN: And if you would just from the beginning just
4 explain to me what happened?
5 P.O.SEBASTIAN: Uh we were responding to a call for uh to
6 assist Beat 815 Robert. Um they had called to
7 get a taser because they said that their offender
8 had a knife.
9
10 KILLEN: And do you recall where you were at when you
11 received that?
12 P.O.SEBASTIAN: Uh right around 55th and Kostner.
13
14 KILLEN: Okay. And you received, you're getting all that
15 information over the radio correct?
16 P.O.SEBASTIAN: Correct.
17
18 KILLEN: Dispatch?
19 P.O.SEBASTIAN: Hmm huh.
20
21 KILLEN: Okay. Um and then were you the driver or
22 passenger?
23 P.O.SEBASTIAN: I was the passenger.
24
25 KILLEN: So then Officer Mondragon and you drive over to
26 where, 815 --
27 P.O.SEBASTIAN: Is calling for help, yes.
28
29 KILLEN: Okay and what happens when you get there?
30 P.O.SEBASTIAN: Um as we're in route I would get further
31 information that the offender is going eastbound
32 towards uh the Burger King, towards Pulaski on

1 foot. That he has a knife in hand. And then um
2 additionally that he punctured the tire of 815
3 Robert's car. We were northbound on Pulaski um
4 behind 845 Robert. Uh we turned westbound on 40th
5 Street which is just, the street just north of
6 the Burger King parking lot. Um as we got to the
7 Burger King parking lot 845 Robert went into the
8 parking lot um and we uh had information that the
9 offender was running through that parking lot.
10 Um --

11

12 KILLEN: You got that information over the radio?

13 P.O.SEBASTIAN: Over the radio, hmm huh. Yes. Um I see the
14 offender at quite a distance. My partner does
15 not. Um I tell her, we decide to go out onto
16 Pulaski to try and cut the offender off on
17 Pulaski. (noise) So she turns goes back on 40th
18 Street and then goes to Pulaski southbound.
19 (noise) Once we get southbound on Pulaski we get
20 to 41st Street where the offender is uh running in
21 front of like southbound um in the middle of the
22 street of Pulaski. Like in front of our car,
23 away from us. (noise)

24

25 KILLEN: So the first time you see (noise) the offender
26 where are you?

27 P.O.SEBASTIAN: First (noise) time I see the offender is
28 when (noise) we're um turning around in the
29 Burger King parking lot. The driveway of the
30 Burger King.

31

1 KILLEN: So that's after you come up Pulaski onto 40th and
2 into the parking lot?
3 P.O.SEBASTIAN: Correct. Yes.
4
5 KILLEN: So you're basically just going back around?
6 P.O.SEBASTIAN: Yes.
7
8 KILLEN: And when you see him he's runnin'?
9 P.O.SEBASTIAN: He's runnin' yes.
10
11 KILLEN: Which way does he go?
12 P.O.SEBASTIAN: He's running uh southeast basically through
13 the parking (noise) lot.
14
15 KILLEN: So toward Pulaski from --
16 P.O.SEBASTIAN: Correct.
17
18 KILLEN: -- 40th Street.
19 P.O.SEBASTIAN: Yes.
20
21 KILLEN: And when you see 'em you see 'em with a knife?
22 P.O.SEBASTIAN: I did not see a knife at that time. No.
23
24 KILLEN: If you had to guess at how far away he was, when
25 you first saw 'em?
26 P.O.SEBASTIAN: Uh well we were at one end of the parking
27 lot so all the way to the other, I mean several
28 yards. Prob'ly (noise) 50 yards.
29
30 KILLEN: (noise) Okay. So then by the time Officer
31 Mondragon's able to turn it around get back onto
32 Pulaski and go south --

1 P.O.SEBASTIAN: Hmm huh.
2
3 KILLEN: -- the offender is, is that when he's running
4 south in the street?
5 P.O.SEBASTIAN: Correct. (noise) He's already in the street
6 running south.
7
8 KILLEN: And then --
9 P.O.SEBASTIAN: At that time I can see the knife in his hand
10 as we're getting closer to him (noise) I can see
11 the knife. Um he has it in his right hand and
12 he's actually waving it back and forth. Like
13 front to back. Moving his arm back and forth as
14 he's um maybe like a fast walk, slow run
15 southbound on Pulaski.
16
17 KILLEN: Okay so what happens? So he's goin' south, you
18 guys are goin' south.
19 P.O.SEBASTIAN: Hmm huh.
20
21 KILLEN: What happens?
22 P.O.SEBASTIAN: Um --
23 HERBERT: Got to say yes.
24 P.O.SEBASTIAN: Yes.
25 HERBERT: No hmm huh's.
26 P.O.SEBASTIAN: Oh sorry. Yes.
27 HERBERT: That's okay.
28 P.O.SEBASTIAN: Uh we get to 41st Street um 845 Robert is
29 already Officers Walsh and Van Dyke are already
30 out of the car. Um we see the offender um in the
31 street still waving his, his arm with the knife.

1 Uh I heard several shots fired and the offender
2 fell to the ground.
3
4 KILLEN: At the time did you know who was shooting?
5 P.O.SEBASTIAN: I did not.
6
7 KILLEN: Did you see like Officer Van Dyke out there gun
8 pointed at 'em?
9 P.O.SEBASTIAN: I saw Officer Van Dyke and, and Officer
10 Walsh both had their guns drawn. But my
11 attention at the time of the shots fired were
12 towards the offender. Cause we were still in
13 motion. We were still moving --
14
15 KILLEN: Goin' south on --
16 P.O.SEBASTIAN: Yeah we were still moving. Cause we were
17 slow you know goin' slow at the time. (noise)
18
19 KILLEN: So when you, when you're goin' slow south on
20 Pulaski where's the offender?
21 P.O.SEBASTIAN: He's in front of us.
22
23 KILLEN: He's still in, in the street?
24 P.O.SEBASTIAN: Hmm huh. Yes, yes.
25
26 KILLEN: You see he's wavin' a knife back and forth is he
27 wavin' it at somebody or whaddoes he do?
28 P.O.SEBASTIAN: He was (noise) waving it (noise) before he
29 got towards 845 Robert he was just swinging his
30 arm back and forth. I mean he's doing all kinds
31 of like twisting body motions as he's walking.
32 (noise) Um when he got closer to them and they

1 got outta the vehicle, it (noise) he turned his
2 body towards them like the knife like (noise) in
3 a motion towards them. His, (noise) his right
4 arm did. (noise)
5
6 KILLEN: And did you see where Officers Van, Van Dyke and
7 Walsh came from? Or did they come north on
8 Pulaski toward 'em or --
9 P.O.SEBASTIAN: No. They were, they had also come from,
10 they went southbound and they were like in the,
11 um they were in the northbound lanes. And they
12 went down past him um in front of him at a great
13 distance. So they were several feet --
14
15 KILLEN: So they went south on the other side of the
16 street in the northbound lanes?
17 P.O.SEBASTIAN: Yeah. Yeah.
18
19 KILLEN: They went south.
20 P.O.SEBASTIAN: They went south like, like cause this, the
21 offender was walking kinda down the middle of the
22 street. So they went in the northbound lanes and
23 then kind of cut across in, in, in front of him.
24
25 KILLEN: Okay.
26 P.O.SEBASTIAN: Okay as to stop 'em. There was a Dunkin'
27 Donuts on the (noise) uh east side of the street.
28 So kind of in between him and the Dunkin' Donuts
29 basically (noise) what it was.
30
31 KILLEN: Does he stop walking when they cut in front of
32 'em?

1 P.O.SEBASTIAN: No he doesn't. He's still moving.
2
3 KILLEN: Is that when he turns, so he faces --
4 P.O.SEBASTIAN: Hmm huh yeah he's still, he's still moving
5 yes.
6
7 KILLEN: And you see, you saw Officers Van Dyke and Walsh
8 get outta the car?
9 P.O.SEBASTIAN: I saw them outta the car, yes.
10
11 KILLEN: Okay saw them with guns drawn?
12 P.O.SEBASTIAN: I did.
13
14 KILLEN: Pointed at the offender?
15 P.O.SEBASTIAN: Yes.
16
17 KILLEN: But you didn't see who was shootin'?
18 P.O.SEBASTIAN: I did not.
19
20 KILLEN: At the time you couldn't tell?
21 P.O.SEBASTIAN: At the, at that time honestly at that time
22 my attention was towards the offender. (someone
23 clears throat)
24
25 KILLEN: And then, but you heard gunshots?
26 P.O.SEBASTIAN: Hmm huh. Heard gunshots.
27
28 KILLEN: Okay. Could you guess at how many you heard?
29 P.O.SEBASTIAN: I, I really don't know.
30
31 KILLEN: And what happens after you hear the gunshots?

1 P.O.SEBASTIAN: We get out of the vehicle. My partner stops
2 the vehicle, we get out. Um actually (noise) we
3 get out, we see that the offender is no longer a
4 threat. As, as my partner comes out of the car,
5 she notices that the southbound traffic is coming
6 like uh citizens vehicles coming towards the, the
7 crime scene. Cuz they're coming off of a hill,
8 off of the expressway. (noise) So um you know
9 (noise) there were plenty of officers over there
10 attending to that. Our attention turned to the
11 traffic and stopping the citizens from driving
12 into the crime scene. (noise)

13

14 KILLEN: And when you say the offender's no longer a
15 threat, whadda you mean by that?

16 P.O.SEBASTIAN: I didn't see that there was any more
17 movement. Um Officer Walsh, I saw Officer Walsh
18 (noise) um kick the knife, the, he still had the
19 knife in his hand. (noise) You could see that.
20 And he kicked it away from 'em and it was no
21 more, I didn't see any movement from the
22 offender.

23

24 KILLEN: So is the offender still standing at this time or
25 is he --

26 P.O.SEBASTIAN: Oh no he's on the ground.

27

28 KILLEN: Okay.

29 P.O.SEBASTIAN: Yeah he's on the ground.

30

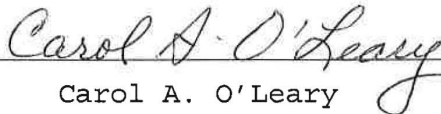
31 KILLEN: So after the gunshots he's on the ground?

32 P.O.SEBASTIAN: Yes.

1
2 KILLEN: And then Officer Walsh kicks the knife from his
3 hand.
4 P.O.SEBASTIAN: Hmm huh. Yes.
5
6 KILLEN: And that's what you mean by he's no longer a
7 threat now?
8 P.O.SEBASTIAN: Yes.
9
10 KILLEN: Okay. All right. All right is there anything
11 you'd like to add?
12 P.O.SEBASTIAN: No.
13
14 KILLEN: And everything you told me is a true and accurate
15 account of what occurred?
16 P.O.SEBASTIAN: Yes sir.
17
18 KILLEN: All right this will uh conclude the audio
19 recorded interview of Officer Daphne Sebastian
20 regarding Log number 1072125 U number 14 dash 36.
21 Today is the 21st of October 2014. The time is
22 approximately 0519 hours.

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I, CAROL A. O'LEARY, do hereby certify or affirm that
I have impartially transcribed the foregoing from an audio
recording of the above-mentioned proceeding to the best of
my ability.


Carol A. O'Leary